

Court of Appeals, State of Michigan

ORDER

Tracy Drake v Rolando Beredo MD

Docket No. 259680

LC No. 03-001785-NH

Bill Schuette
Presiding Judge

William C. Whitbeck
Chief Judge

Stephen L. Borrello
Judge

By order entered May 18, 2005, this Court ordered the application for leave to appeal held in abeyance pending resolution of the motion for reconsideration in *Apsey v Memorial Hospital*, ___ Mich App ___; ___ NW2d ___ (No. 251110, issued 4/19/05). On June 9, 2005, the *Apsey* panel granted reconsideration and issued a published opinion, *Apsey v Memorial Hospital (On Reconsideration)*, ___ Mich App ___; ___ NW2d ___ (No. 251110, issued 6/9/05), lv pending. We would note that the fact that an application for leave to appeal is pending in the Michigan Supreme Court does not diminish the precedential effect of *Apsey*. MCR 7.215(C)(2). In light of *Apsey*, the application for leave to appeal is again considered and it is DENIED for lack of merit in the grounds presented.

The stay previously ordered by this Court is lifted.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG 16 2005
Date

Sandra Schultz Mengel
Chief Clerk